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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

10 BREND A J. HECK,

11 Plaintiff,

12 v.

13 NANCY A. BERRYHILL, Acting  
14 Commissioner of the Social Security  
Administration,

15 Defendant.

CASE NO. 2:16-cv-01669 JRC

ORDER ON STIPULATED  
MOTION FOR ATTORNEY FEES,  
EXPENSES AND COSTS

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17 This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local  
18 Magistrate Judge Rule MJR 13 (*see also* Notice of Initial Assignment to a U.S. Magistrate Judge  
19 and Consent Form, Dkt. 3; Consent to Proceed Before a United States Magistrate Judge, Dkt. 4).  
20 This matter is before the Court on plaintiff's Stipulated Motion for Attorney Fees, Expenses and  
21 Costs (*see* Dkt. 17).

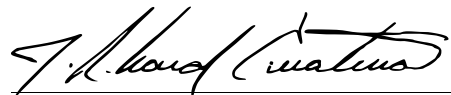
22 Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, ("EAJA"), the Stipulation of  
23 the parties (*see* Dkt. 17), the time, expense and costs itemizations (Dkt. 17, Attachments 2, 4, 5),  
24 and the relevant record, it is hereby ORDERED that EAJA attorney's fees of \$5,504.89 and

1 expenses in the amount of \$47.29, shall be awarded to plaintiff pursuant to the EAJA and  
2 consistent with *Astrue v. Ratliff*, 130 S.Ct. 2521, 2524, 2010 U.S. LEXIS 4763 at \*\*\*6-\*\*\*7  
3 (2010).

4 It is further ORDERED that costs in the amount of \$400.00 shall be awarded to plaintiff  
5 pursuant to 28 U.S.C. § 1920.

6 The Acting Commissioner shall contact the Department of Treasury after the Order for  
7 EAJA fees, expenses and costs is entered to determine if the EAJA fees, expenses and costs are  
8 subject to any offset. If it is determined that plaintiff's EAJA fees, expenses and costs are not  
9 subject to any offset allowed pursuant to the Department of the Treasury's Offset Program, then  
10 the check for EAJA fees, expenses and costs shall be made payable to Francisco Rodriguez,  
11 Esq., based on plaintiff's assignment of these amounts to plaintiff's attorney (*see* Contract of  
12 Employment, Dkt. 17, Attachment 3). If there is an offset, the remainder shall be made payable  
13 to plaintiff, based on the practice of the Department of the Treasury (*see, e.g.*, Case No. 2:15-cv-  
14 122, Dkt. 22, p. 4). Any check for EAJA fees shall be mailed to plaintiff's counsel, Francisco  
15 Rodriguez, Esq., at P.O. Box 31844, Seattle, WA 98103.

16 Dated this 2nd day of November, 2017.

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19 J. Richard Creatura  
20 United States Magistrate Judge  
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